

UNITED STATES GOVERNMENT

# Memorandum

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TO : Mr. Mohr

DATE: 9-2-69

FROM : C. L. Trotter

SUBJECT: JAMES EARL RAY  
IDENTIFICATION MATTER

On 3-10-69 Ray, who had been charged with the murder of Martin Luther King, plead guilty in Tennessee State Court and was sentenced to 99 years in the Tennessee State Prison at Nashville. In addition, he still has 13 years to serve in Missouri. The judge who sentenced Ray was W. Preston Battle, Criminal Court, Memphis, Tennessee. Battle is dead, the victim of a heart attack in his chambers on 3-31-69. On 4-7-69 Ray filed a motion for a new trial in Memphis and on 5-26-69 Judge Arthur Faquin dismissed this. On 6-16-69 a "prayer for appeal" was denied by Judge Faquin. On 6-25-69 Ray appealed to the Tennessee State Court of Criminal Appeals for a court review of the trial record and this was denied on 7-15-69. There are no court-imposed restrictions on discussing the evidence in this case.

Some very excellent latent fingerprint identification techniques employed in this case resulted in Ray's identification by the Bureau's Identification Division.

### RECOMMENDATION:

That the attached interesting identification be approved for classroom and speech use.

Enc. ENCLOSURE

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Rosen

CLT:cay  
(5)

*Handwritten initials*

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SEE ADDENDUM OF GENERAL INVESTIGATIVE DIVISION  
PAGE 2...

SEE ADDUNDUM OF CRIME RECORDS DIVISION  
PAGE 3...

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Although Ray's appeal in Tennessee State Court was denied by the court on 7/15/69, the State Prosecuting Attorney previously advised that Ray can continue his appeals by filing petitions for Writs of Habeas Corpus in State Court and if these are unsuccessful, he can do the same in Federal Court. The prosecuting attorney anticipates that Ray will avail himself of such remedies, although there is no current indication as to when he will do so.

In light of this, it is not felt desirable for the Bureau to comment beyond that which is a matter of public record, that is, what has been publicly testified to in open court.

ADDENDUM CRIME RECORDS DIVISION 9-4-69 TEB:hak

Every convicted person has the privilege of filing a Writ of Habeas Corpus while a prisoner. If we allow the possibility of Ray doing so to prevent us from getting out to the public the story of the excellent work done by the FBI in this case, it will never be possible to get it out so long as Ray is serving his life sentence, if the feelings of the General Investigative Division are followed. In addition, it should be born in mind that the danger of prejudicing a case by publicity only applies prior to and during the actual trial of the case. Publicity cannot prejudice a case in the appeals stage since this stage is concerned only with matters of law rather than fact.

*Have we any legal supports of this?*

The FBI has done an outstanding job in this case and we should now start letting the public know of this job through items like the attached, through articles, and through cooperating with a good author like Jim Bishop, who has been commissioned by Reader's Digest to prepare a comprehensive book on this case.

*I agree. The longer we refuse cooperation, the greater our loss is from a public relations standpoint.*

*T.B.  
I agree with Rosen's Owl  
9/4 21*